



State of California
Respiratory Care Board
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Inquiry: This is to request information regarding the section of law that permits a Respiratory Therapist to start his own business in the respiratory therapy field. I would like a copy of that regulation if possible, as I'm having a problem with insurance companies in reference to requesting a provider number for billing purposes. The insurance companies state that they do not issue provider numbers to private agencies.

Response: In response to your inquiry regarding a respiratory care practitioner (RCP) starting his own business, the Respiratory Care Practice Act does not specifically authorize or prohibit the conduct of private business by licensed RCPs. The applicable laws and regulations are available from various federal, state, and local governments.

It is the RCB's understanding that the reimbursement policies of a private insurer are set by the insurer and that these policies may not violate existing federal, state, and/or local statute. The RCB advises that you obtain competent legal counsel to evaluate these provisions and how they relate to this issue.

Reference # 2000-C-19